

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Dave Van Vliet, Herbert Wallace Campbell,  
and Stephen Barrie Chambers**

Confirmation No.

Application No.

Filed: Concurrently herewith

For: **TREATMENT OF A WASTE  
STREAM THROUGH PRODUCTION  
AND UTILIZATION OF  
OXYHYDROGEN GAS**

Group Art Unit:

Examiner:

Date: November 19, 2003

INFORMATION DISCLOSURE STATEMENT

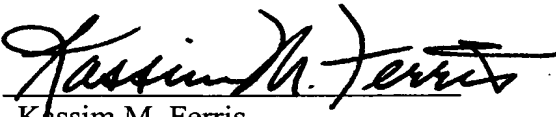
TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.  
  
☐ Copies of listed documents are enclosed. (37 CFR § 1.98(a))  
  
☒ Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and is, thus, subject to image file wrapper processing. Copies of listed foreign patent documents and non-patent literature are enclosed.  
  
☐ Copies of the documents listed on sheet(s) \_\_\_\_\_ of Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. \_\_\_\_\_, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))
2. ☐ The Examiner's attention is directed to the enclosed copy of copending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, for \_\_\_\_\_, which is cited in this application.
3. This information disclosure statement is being submitted (check box a., b., or c.):
  - a. ☒ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or

- b. ☐ After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is set forth below.

Respectfully submitted,

**Xogen Power Inc.**

By   
Kassim M. Ferris  
Registration No. 39,974

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Attorney Docket No. 60538/2:1

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Sheet

1

of

5

Application Number

Filing Date

First Named Inventor

Dave Van Vliet

Art Unit

Examiner Name

Attorney Docket Number

60538/2:1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 3,311,097	03/28/1967	Mittelstaedt	
	2	US- 3,505,188	04/07/1970	Pei-Tai Pan	
	3	US- 3,980,053	09/14/1976	Horvath	
	4	US- 3,981,789	09/21/1976	Harrison, et al.	
	5	US- 4,009,104	02/22/1977	Behrendt, et al.	
	6	US- 4,014,777	03/29/1977	Brown	
	7	US- 4,036,726	07/19/1977	Gale, et al.	
	8	US- 4,062,754	12/13/1977	Eibl	
	9	US- 4,101,409	07/18/1978	Austin	
	10	US- 4,140,609	02/20/1979	Zucker	
	11	US- 4,169,029	09/25/1979	Smirnov, et al.	
	12	US- 4,179,347	12/18/1979	Krause, et al.	
	13	US- 4,184,931	01/22/1980	Inoue	
	14	US- 4,206,031	06/03/1980	King	
	15	US- 4,384,943	05/24/1983	Stoner, et al.	
	16	US- 4,439,290	03/27/1984	Marfurt, et al.	
	17	US- 4,755,305	07/05/1988	Fremont, et al.	
	18	US- 4,772,369	09/20/1988	Mercier, et al.	
	19	US- 4,908,109	03/13/1990	Wright	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner  
Signature

Date

Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**Sheet **2**of **5**

Application Number

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First Named Inventor

Dave Van Vliet

Art Unit

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		Number-Kind Code <sup>2</sup> (if known)			
	20	US- 4,919,775	04/24/1990	Ishigaki	
	21	US- 4,956,057	09/11/1990	Stucki, et al.	
	22	US- 5,091,152	02/25/1992	Thomas, Sr.	
	23	US- 5,108,563	04/28/1992	Cook	
	24	US- 5,256,263	10/26/1993	Kanai	
	25	US- 5,304,289	04/19/1994	Hayakawa	
	26	US- 5,324,398	06/28/1994	Erickson, et al.	
	27	US- 5,376,242	12/27/1994	Hayakawa	
	28	US- 5,399,247	03/21/1995	Carey, et al.	
	29	US- 5,435,894	07/25/1995	Hayakawa	
	30	US- 5,439,567	08/08/1995	Cook	
	31	US- 5,460,702	10/24/1995	Birkbeck, et al.	
	32	US- 5,549,800	08/27/1996	Iwata	
	33	US- 5,549,812	08/27/1996	Witt a.k.a. Witte	
	34	US- 5,599,437	02/04/1997	Taylor, et al.	
	35	US- 5,611,907	03/18/1997	Herbst, et al.	
	36	US- 5,614,078	03/25/1997	Lubin, et al.	
	37	US- 5,695,650	12/09/1997	Held	
	38	US- 5,698,107	12/16/1997	Wurzburger, et al.	

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Sheet 3

of 5

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First Named Inventor	Dave Van Vliet
Art Unit	
Examiner Name	
Attorney Docket Number	60538/2:1

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		Number-Kind Code <sup>2</sup> (if known)			
	39	US- 5,851,404	12/22/1998	Christy, et al.	
	40	US- 5,928,490	07/27/1999	Sweeney	
	41	US- 5,935,392	08/10/1999	Lubin, et al.	
	42	US- 5,935,412	08/10/1999	Brainard II	
	43	US- 6,126,794	10/03/2000	Chambers	
	44	US- 6,126,838	10/03/2000	Huang, et al.	
	45	US- 6,139,710	10/31/2000	Powell	
	46	US- 6,179,977	01/30/2001	Herbst	
	47	US- 6,179,991	01/30/2001	Norris, et al.	
	48	US- 6,238,546	05/29/2001	Knieper, et al.	
	49	US- 6,241,861	06/05/2001	Herbst	
	50	US- 6,294,061	09/25/2001	Morkovsky, et al.	
	51	US- 6,315,886	11/13/2001	Zappi, et al.	
	52	US- 6,328,875	12/11/2001	Zappi, et al.	
	53	US- 6,346,197	02/12/2002	Stephenson, et al.	
	54	US- 6,391,184	05/21/2002	Orolin, et al.	
	55	US- 6,419,815	07/16/2002	Chambers	
	56	US- 6,482,327	11/19/2002	Mori, et al.	
	57	US- 6,488,835	12/03/2002	Powell	

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		<b>First Named Inventor</b>	Dave Van Vliet
		<b>Art Unit</b>	
		<b>Examiner Name</b>	
<b>Sheet</b> 5	<b>of</b> 5	<b>Attorney Docket Number</b>	60538/2:1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	64	BATTELE, "Battelle and D-H2O Demonstrate a Novel Pulsed Electric Field Technology to Substantially Reduce Biosolids," News Release, <a href="http://www.battelle.org/news/02/04-19-02Biosolids.stm">http://www.battelle.org/news/02/04-19-02Biosolids.stm</a> , 2 pgs, April 19, 2002.	
	65	DONALD MILLS, "A New Process for Electrocoagulation," Journal AWWA, Plant Operation, June 2000, pgs. 34-43, Volume 92, Issue 6.	
	66	Zappi Water Purification Systems, "Patents & Publications," visited 11/6/03, <a href="http://www.zappisystems.com/patents.htm">http://www.zappisystems.com/patents.htm</a> , 1 page.	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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